

and IX (§6001 et seq.)). For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

The School-to-Work Opportunities Act of 1994, referred to in subsec. (b)(1)(B)(ii), (C)(ii), is Pub. L. 103-239, May 4, 1994, 108 Stat. 568, as amended, which is classified principally to chapter 69 (§6101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

CHANGE OF NAME

Committee on Education and Labor of House of Representatives treated as referring to Committee on Economic and Educational Opportunities of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1226c, 6434, 6435, 6621, 6622, 6701, 6847, 7131, 7237, 7263, 7548, 8002, 8036, 8332, 8676 of this title.

PART H—SENSE OF CONGRESS

§ 8961. Sense of Congress to increase total share of Federal spending on education

(a) Findings

The Congress finds that—

(1) in order to increase our Nation's standard of living and to increase the number of good jobs, the United States must increase its productivity and ability to compete in the international marketplace by improving the educational level of our workforce;

(2) although efforts are being made to establish higher educational standards and goals, there is a substantial shortage of resources to meet such standards and goals;

(3) States and local communities are finding it increasingly difficult to meet ever higher educational standards and goals, and States will not be able to fund needed changes without Federal help to reach such standards and goals;

(4) the Federal Government has established many educational programs but failed to provide adequate funding for such programs, for example one such program provides education to our Nation's disabled students and was established with a promise of 40 percent Federal funding but currently receives only eight percent Federal funding;

(5) the annual shortfall in Federal education programs is approximately half of the promised funding;

(6) many needed educational improvements will not need Federal funds, however, other suggested changes such as lengthened school years, better pay, after-school activities, mentoring for students at risk, programs for gifted students, and replacing substandard buildings, will require substantial Federal assistance; and

(7) the Federal contribution to education is less than two percent of the total Federal budget, and in order to make education a national priority, the total percentage of Federal educational funding should be increased by one percent each year over the next eight years to reach 10 percent of the total Federal budget.

(b) Sense of Congress

It is the sense of the Congress that the total share of the Federal spending on education should increase by at least one percent each year until such share reaches 10 percent of the total Federal budget.

(Pub. L. 89-10, title XIV, §14801, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3911.)

§ 8962. Sense of Congress; requirement regarding notice

(a) Purchase of American-made equipment and products

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this chapter, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) Notice to recipients of assistance

In providing financial assistance under this chapter, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) of this section by the Congress.

(Pub. L. 89-10, title XIV, §14802, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3912.)

CHAPTER 71—NATIONAL EDUCATION STATISTICS

Sec.	
9001.	Findings; purpose; definitions. <ul style="list-style-type: none"> (a) Findings. (b) Purpose. (c) Definitions.
9002.	National Center for Education Statistics. <ul style="list-style-type: none"> (a) Establishment. (b) Commissioner and Associate Commissioners.
9003.	Duties of Center. <ul style="list-style-type: none"> (a) Duties. (b) Training program.
9004.	Performance of duties. <ul style="list-style-type: none"> (a) Grants, contracts, and cooperative agreements. (b) Gathering information.
9005.	Reports. <ul style="list-style-type: none"> (a) Report on condition and progress of education. (b) Statistical reports. (c) Special reports.
9006.	Advisory Council on Education Statistics. <ul style="list-style-type: none"> (a) Establishment. (b) Membership.
9007.	Confidentiality. <ul style="list-style-type: none"> (a) Confidentiality standards. (b) Administration.
9008.	Dissemination. <ul style="list-style-type: none"> (a) General requests. (b) Congressional requests. (c) Joint statistical projects. (d) Fees. (e) Access.
9009.	Cooperative education statistics systems. <ul style="list-style-type: none"> (a) In general. (b) Model data system.
9010.	National Assessment of Educational Progress. <ul style="list-style-type: none"> (a) Establishment. (b) Purpose; State assessments. (c) Access.

Sec.

- (d) Participation.
- (e) Student performance levels.
- (f) Review of National and State assessments.
- (g) Coverage agreements.
- 9011. National Assessment Governing Board.
 - (a) Establishment.
 - (b) Membership.
 - (c) Terms.
 - (d) Vacancies.
 - (e) Duties.
 - (f) Personnel.
 - (g) Coordination.
 - (h) Administration.
- 9012. Authorization of appropriations.
 - (a) In general.
 - (b) National Assessment.
 - (c) Governing Board.

PRIOR PROVISIONS

Provisions similar to those in this chapter were contained in section 1221e-1 of this title prior to repeal by Pub. L. 103-382, §212(a)(1).

§ 9001. Findings; purpose; definitions**(a) Findings**

The Congress finds that—

(1) a Department of Education was established in 1867 “for the purpose of collecting such statistics and facts as shall show the condition and progress of education in the several States and territories, and of diffusing such information respecting the organization and management of schools and school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the United States”;

(2) today, while the role of the current Department of Education is much broader, the National Center for Education Statistics within the Office of Educational Research and Improvement continues to perform those crucial original purposes; and

(3) looking to the 21st century, the National Center for Education Statistics must be able to design and undertake, effectively and efficiently, statistical activities that will aid in the reform of the Nation’s educational systems.

(b) Purpose

It is the purpose of this chapter to ensure the continuation of an effective mechanism for collecting and reporting statistics and information showing the condition and progress of education in the United States and other nations in order to promote and accelerate the improvement of American education.

(c) Definitions

For the purpose of this chapter and unless otherwise specified—

(1) the term “Assistant Secretary” means the Assistant Secretary for Educational Research and Improvement established under section 3412(b)(1)(E)¹ of this title;

(2) the term “Department” means the Department of Education;

(3) the term “institution of higher education” has the same meaning given such term in section 1141(a) of this title;

(4) the term “local educational agency” has the same meaning given such term in section 8801 of this title;

(5) the term “Secretary” means the Secretary of Education;

(6) the term “State educational agency” has the same meaning given such term in section 8801 of this title; and

(7) the terms “State” and “United States”—

(A) other than for the purpose of section 9010 of this title, mean each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(B) for the purpose of section 9010 of this title, have the same meaning given such terms in subparagraph (A), except that such terms include Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau.

(Pub. L. 103-382, title IV, §402, Oct. 20, 1994, 108 Stat. 4029.)

REFERENCES IN TEXT

The reference to section 3412(b)(1)(E) of this title in subsec. (c)(1) probably should be a reference to section 3412(b)(3) of this title. Pub. L. 103-227, title IX, §913, Mar. 31, 1994, 108 Stat. 223, amended section 3412 by striking out subsec. (b)(1)(E) which related to an Assistant Secretary for Educational Research and Improvement, redesignating subsec. (b)(1)(F) as (b)(1)(E), and adding a subsec. (b)(3) which relates to an Assistant Secretary for Educational Research and Improvement.

SHORT TITLE

Section 401 of Pub. L. 103-382 provided that: “This title [enacting this chapter] may be cited as the ‘National Education Statistics Act of 1994’.”

§ 9002. National Center for Education Statistics**(a) Establishment**

There is established, within the Office of Educational Research and Improvement established under section 3419 of this title, a National Center for Education Statistics (hereafter in this chapter referred to as the “Center”).

(b) Commissioner and Associate Commissioners**(1) Commissioner**

The Center shall be headed by a Commissioner of Education Statistics (hereafter in this chapter referred to as the “Commissioner”) who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall—

(A) have substantial knowledge of programs assisted by the Center;

(B) be paid in accordance with section 5315 of title 5; and

(C) serve for a term of four years, with the terms to expire every fourth June 21, beginning in 1995.

(2) Associate Commissioners

The Commissioner may appoint such Associate Commissioners as the Commissioner determines are necessary and appropriate.

¹ See References in Text note below.